

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION**

UNITED STATES OF AMERICA,)	
)	Case No. 6:90CR00112
)	
v.)	FINAL ORDER
)	
AUGUSTINE PEREZ,)	By: James P. Jones
)	Chief United States District Judge
Defendant.)	

For the reasons set forth in the Opinion accompanying this Final Order, it is **ORDERED** that this action, styled by the defendant as a “Petition for Coram Nobis and Audita Querela,” is CONSTRUED as a Motion to Vacate, Set Aside or Correct Sentence, pursuant to 28 U.S.C.A. § 2255, and is DENIED without prejudice as successive. Based upon the court’s finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is DENIED.

ENTER: June 25, 2010

/s/ JAMES P. JONES
Chief United States District Judge